United Nations A/61/265–S/2006/658

General Assembly
Security Council

Distr.: General
16 August 2006

Original: English

General Assembly
Sixty-first session
Item 70 of the provisional agenda*
Report of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994

Security Council
Sixty-first year

Report of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994

Note by the Secretary-General

The Secretary-General has the honour to transmit to the members of the General Assembly and to the members of the Security Council the eleventh annual report of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994, submitted by the President of the International Tribunal for Rwanda in accordance with article 32 of its statute (see Security Council resolution 955 (1994), annex), which states:

> "The President of the International Tribunal for Rwanda shall submit an annual report of the International Tribunal for Rwanda to the Security Council and to the General Assembly."

* A/61/150.

06-47116 (E) 080906

Eleventh annual report of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994

Summary

Overview. During the period under review, from 1 July 2005 to 30 June 2006, the Trial Chambers of the International Criminal Tribunal for Rwanda delivered three judgements in cases involving three accused (*Simba*, *Bisengimana* and *Serugendo*). In addition, three trials, each involving one accused, have been completed and judgements are being drafted (*Mpambara*, *Muvunyi* and *Seromba*). In addition to the 22 judgements involving 28 persons that have been rendered so far, trials involving 27 accused are in progress. Consequently, the total number of accused whose cases have been completed or are in progress is 55. A total of 14 detainees are awaiting trial.

The Appeals Chamber delivered one appeal judgement in respect of one person during the period under review and prepared and signed two judgements for delivery immediately after the close of the reporting period. In addition, 14 interlocutory appeals and 1 application for review of a trial judgement were rendered by the Appeals Chamber.

New trials. During the period under review, the Tribunal commenced three new trials involving three accused. The *Mpambara* trial, which commenced on 19 September 2005, closed on 3 May 2006. Judgement is expected in September 2006. The *Zigiranyirazo* trial started on 3 October 2005, and the prosecution has closed its case. In the *Karera* trial, which commenced on 9 January 2006, the prosecution has closed its case and the defence is halfway through the presentation of its witnesses. The three new trials were conducted in conjunction with five multi-accused cases: *Butare* (six accused), *Military I* (four accused), *Military II* (four accused), *Government* (four accused) and *Karemera et al.* (three accused). A new single-accused trial will commence in the second half of 2006, depending on courtroom capacity.

Completion strategy. A revised completion strategy was submitted to the Security Council on 29 May 2006 (S/2006/358) in conformity with Security Council resolution 1534 (2004). It sets out in detail progress made towards implementation of the Tribunal's completion strategy and outlines the numerous measures to streamline the judicial process. The completion strategy confirms that the Tribunal is on course to complete trials involving 65 to 70 persons by 2008, depending on progress in present and future cases. The success of the completion strategy continues to depend on the assistance and cooperation of States. Member States are requested to accept the transfer of cases in order to further investigations and trials. The prosecution's first request for transfer to a national jurisdiction under rule 11 bis of the Rules of Procedure and Evidence was denied on 19 May 2006 (*Bagaragaza*). The prosecution

appeal is currently pending before the Appeals Chamber. The completion strategy also depends on the arrest by States of indictees who remain at large.

Relationship with Rwanda. Rwanda has continued to cooperate with the Tribunal by facilitating a steady flow of witnesses from Kigali to Arusha and by providing relevant documents to the court proceedings. It is important that both the prosecution and the defence receive the necessary assistance and that delays be avoided. Flexibility on the part of the Rwandan authorities will contribute to this aim.

I. Specific information

1. The present annual report is submitted to the General Assembly and the Security Council by the President of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994, pursuant to article 32 of the Tribunal's statute.

A. Office of the President

2. The President of the Tribunal is Judge Erik Møse (Norway) and the Vice-President is Judge Arlette Ramaroson (Madagascar).

Completion strategy

3. During the period under review, the President updated the Tribunal's completion strategy in consultation with the Prosecutor. The completion strategy document was first submitted in July 2003, followed by updated and revised versions in September 2003, April 2004, November 2004, May 2005, November 2005 and June 2006. On 7 June 2006, the President and the Prosecutor presented their most recent assessment of the implementation of the completion strategy to the Security Council, in conformity with Council resolution 1534 (2004). The assessment included initiatives associated with the management of information and evidence by the Office of the Prosecutor and the Registry's support for the efficient management of trials.

Rulings

4. The President ruled on applications for review of the Registrar's decisions on the assignment of defence counsel and a motion concerning the nature of the right to conjugal visitation under international human rights instruments. As a member of the Bureau, the President considered applications from the defence for the disqualification of judges.

B. Chambers

5. The Chambers are composed of 16 permanent judges and a maximum of 9 ad litem judges. Nine permanent judges are members of the three Trial Chambers, which are supplemented by ad litem judges. Seven permanent judges are members of the Appeals Chamber, five of whom sit at any one time.

6. On 13 June 2006, the Security Council adopted resolution 1684 (2006), by which it extended the term of office of all the permanent judges of the Tribunal until 31 December 2008. Since the mandate of the 11 permanent judges of the Tribunal is set to expire in May 2007, but with trials expected to continue well beyond that time, the Security Council extended the terms of office of the judges until the end of 2008 (the deadline set for the completion of all the Tribunal's proceedings) in order to provide the Tribunal with the continuity, stability and certainty necessary for the efficient and effective planning of trials. Otherwise, the terms of office of the judges

would expire at a time when virtually all permanent judges would be engaged in trials. Should certain judges not be re-elected in the 2007 ballot envisaged by the Tribunal's statute, delays would likely occur in some trials, and others might have to restart entirely with new judges. This would result in an overall loss of time that would make it impossible for the Tribunal to respect the completion strategy deadline. On 28 June 2006, the General Assembly accepted the prolongation of the judges' terms of office.

7. At the end of the period under review, the composition of the Chambers was as follows:

(a) Trial Chamber I: Judge Erik Møse (Norway), Judge Jai Ram Reddy (Fiji) and Judge Sergei Alekseevich Egorov (Russian Federation);

(b) Trial Chamber II: Judge William H. Sekule (United Republic of Tanzania), Judge Arlette Ramaroson (Madagascar) and Judge Asoka J. N. de Silva (Sri Lanka);

(c) Trial Chamber III: Judge Khalida Rashid Khan (Pakistan), Judge Inés Mónica Weinberg de Roca (Argentina) and Judge Charles Michael Dennis Byron (Saint Kitts and Nevis);

(d) Appeals Chamber: Judge Fausto Pocar (Italy), Judge Mohamed Shahabuddeen (Guyana), Judge Mehmet Güney (Turkey), Judge Liu Daqun (China), Judge Andresia Vaz (Senegal), Judge Theodor Meron (United States of America) and Judge Wolfgang Schomburg (Germany);

(e) Ad litem judges: Judge Solomy Balungi Bossa (Uganda), Judge Flavia Lattanzi (Italy), Judge Lee Gacuiga Muthoga (Kenya), Judge Florence Rita Arrey (Cameroon), Judge Emile Francis Short (Ghana), Judge Karin Hökborg (Sweden), Judge Taghrid Hikmet (Jordan), Judge Seon Ki Park (Republic of Korea) and Judge Gberdao Gustave Kam (Burkina Faso).

Trial Chamber I

8. Trial Chamber I has rendered two judgements, heard evidence in three cases and attended to pre-trial matters in several other cases.

The Prosecutor v. Aloys Simba

9. On 13 December 2005, Aloys Simba, who in 1994 was a retired military officer, was unanimously convicted of genocide and crimes against humanity (extermination and murder) for his role in massacres in Gikongoro Prefecture. He was sentenced to 25 years' imprisonment. The trial took 53 trial days and judgement was rendered 16 months after the start of the trial.

The Prosecutor v. Joseph Serugendo

10. The indictment against the accused was confirmed on 22 July 2005. On 16 February 2006, the prosecution and the accused filed a joint plea agreement in which the accused pleaded guilty to direct and public incitement to commit genocide and persecution for his role in Radio-Télévision Libre des mille Collines (RTLM) radio broadcasts in 1994. After a sentencing hearing, the accused was sentenced to six years' imprisonment, his terminal illness and poor prognosis having been taken into account as a significant mitigating factor.

The Prosecutor v. Théoneste Bagosora, Gratien Kabiligi, Aloys Ntabakuze and Anatole Nsengiyumva (*Military I* case).

11. The presentation of the defence case of these four alleged senior military leaders in the Rwandan Armed Forces in 1994, which began on 11 April 2005, continued during the reporting period. During this period, the Chamber heard 87 defence witnesses over 107 trial days, including the accused, Bagosora. The presentation of defence evidence is scheduled to conclude in 2006.

The Prosecutor v. Jean Mpambara

12. The trial of this former *bourgmestre* of Rukara commune in north-eastern Rwanda commenced on 19 September 2005. Closing arguments were heard on 2 and 3 May 2006. The trial was completed in the course of 26 trial days, during which 26 witnesses were heard. Judgement is expected in September 2006.

The Prosecutor v. François Karera

13. The prosecution opened its case against this alleged former Prefect of Kigali-Rurale on 9 January 2006 and effectively closed its case after 16 trial days, during which 18 witnesses were heard. The defence case began on 4 May 2006 and is expected to conclude in 2006.

Pre-trial matters

14. The Chamber held a status conference on 19 May 2006 in *The Prosecutor v. Nchamihigo* to discuss scheduling the start of that trial. The Chamber also attended to pre-trial matters in six other cases, including confirmation of indictments.

Trial Chamber II

15. During the period under review, Trial Chamber II rendered one judgement, conducted trials in five cases involving a total of 16 accused and attended to pre-trial matters in six single-accused cases.

The Prosecutor v. Paul Bisengimana

16. On 17 November 2005, Paul Bisengimana, the former *bourgmestre* of Gikoro commune, pleaded guilty to murder and extermination as crimes against humanity. Following the Chamber's initial rejection of this plea, the prosecution filed an amended indictment on 7 December 2005. Bisengimana subsequently pleaded guilty to charges of murder and extermination as crimes against humanity in the amended indictment. The Chamber accepted this plea and, following a pre-sentencing hearing, Bisengimana was convicted on 13 April 2006 of aiding and abetting extermination as a crime against humanity. The Chamber sentenced him to 15 years' imprisonment, a higher sentence than the range proposed by the parties, in view of the official position of the accused and the large number of persons killed as a result of his crimes.

The Prosecutor v. Pauline Nyiramasuhuko, Arsène Shalom Ntahobali, Sylvain Nsabimana, Alphonse Nteziryayo, Joseph Kanyabashi and Élie Ndayambaje

17. This trial, usually referred to as the *Butare* case, is the largest multi-accused case before the Tribunal and has progressed to an advanced stage. The defence case commenced on 31 January 2005 with the presentation of the defence for Pauline Nyiramasuhuko, former Minister of Family and Women's Development in the Interim Government. Her case closed on 24 November 2005 after the testimony of 26 witnesses. On 28 November 2005, the Ntahobali defence started its case, calling 22 witnesses, including the accused. This case closed on 26 June 2006, save for one witness who is scheduled to testify at a later date. The defence case for Nsabimana, former Prefect of the Butare prefecture, commenced on 27 June 2006. A total of 35 written decisions and 21 substantive oral decisions were rendered during the period under review. The Chamber sat for a total of 117 days. Due to the complexity of the *Butare* case, the Chamber is not conducting any other trial but rendered judgement in the *Bisengimana* case following his guilty plea.

The Prosecutor v. Casimir Bizimungu, Justin Mugenzi, Prosper Mugiraneza and Jérôme Bicamumpaka (Government case)

18. On 23 June 2005, the prosecution closed its case against four former ministers in the Interim Government. The defence case started on 1 November 2005 with the presentation of the defence for Justin Mugenzi, the former Minister of Commerce of Rwanda. On 5 May 2006, when the session adjourned, 17 defence witnesses had been heard over 51 trial days. The trial is scheduled to resume on 21 August 2006 for the continuation of the defence for Mugenzi. During the period under review, 20 written decisions and 14 substantive oral decisions were rendered. The Chamber sat for a total of 52 days.

The Prosecutor v. Augustin Ndindiliyimana, Augustin Bizimungu, François-Xavier Nzuwonemeye and Innocent Sagahutu (Military II case)

19. This joint trial of four former senior military officers commenced on 20 September 2004. As at 30 May 2006, 61 prosecution witnesses had testified over 173 trial days. A total of 27 written decisions and 32 substantive oral decisions were rendered during the period under review. The Chamber sat for a total of 96 days.

The Prosecutor v. Tharcisse Muvunyi

20. The trial of the former colonel and commander of the École sous-officiers commenced on 28 February 2004. The prosecution closed its case on 20 July 2005, having called a total of 24 witnesses. The defence case started on 5 December 2005 and closed on 8 May 2006, after 24 witnesses had testified. Closing arguments took place on 22 and 23 June 2006. A total of 27 written decisions and 21 substantive oral decisions were rendered during the period under review. The Chamber sat for 42 days.

Pre-trial matters

21. The Chamber attended to pre-trial matters in six other cases, including *The Prosecutor v. Tharcisse Renzaho*, which is expected to start in early 2007, subject to courtroom availability.

Trial Chamber III

22. Trial Chamber III conducted trials in four cases involving six accused and attended to pre-trial matters in cases involving seven accused during the period under review. Two judgements are anticipated by the end of 2006.

The Prosecutor v. Edouard Karemera, Mathieu Ngirumpatse and Joseph Nzirorera

23. This complex joint case commenced de novo on 19 September 2005 and the prosecution presented its case during the period under review. During this period, the Chamber delivered more than 100 oral and written decisions.

The Prosecutor v. Athanase Seromba

24. The trial of the accused, a Roman Catholic priest, continued with the presentation of defence evidence. The defence started its case on 31 October 2005 and called a total of 24 witnesses. On 24 April 2006, the defence filed a motion for disqualification of the Trial Chamber, which was subsequently denied by the Bureau and the Appeals Chamber. On 27 April 2006, the Chamber closed the case. The closing arguments of the parties were heard on 27 June 2006. The Chamber is currently drafting the judgement, which is expected in 2006.

The Prosecutor v. André Rwamakuba

25. The trial of the accused, who was the Minister of Primary and Secondary Education of Rwanda, closed on 9 February 2006. A total of 18 prosecution witnesses and 31 defence witnesses were heard by the Chamber. Closing arguments were heard on 21 April 2006 and judgement is expected in September 2006.

The Prosecutor v. Protais Zigiranyirazo

26. This trial started on 3 October 2005, with the prosecution calling 25 witnesses in over 48 trial days. One witness was heard in Camp Zeist (the Netherlands) following the Chamber's determination that security concerns required the Chamber to sit in The Hague. The defence will commence its case in October 2006.

Pre-trial matters

27. Pre-trial proceedings were conducted in six cases involving seven accused. The case against one accused, Michel Bagaragaza, was subject to a motion for referral to Norway in February 2006. The President assigned the matter to a specially constituted bench pursuant to rule 11 bis. On 19 May 2006, the Chamber denied the motion on the grounds that Norway lacked jurisdiction over the crime of genocide as pleaded in the indictment. A prosecution appeal of this decision is currently pending before the Appeals Chamber.

Appeals Chamber

28. During the period under review, the Appeals Chamber was seized of appeals from judgement in 7 cases, 19 interlocutory appeals, 2 motions for review and 1 referral appeal. The Appeals Chamber delivered 1 judgement, prepared and signed 2 judgements for delivery immediately after the close of the reporting period, and rendered 14 interlocutory decisions, 1 decision on review and 122 pre-appeal orders and decisions.

(a) Appeals on the merits

Jean de Dieu Kamuhanda v. The Prosecutor

29. The Appeals Chamber heard the parties' submissions on the merits of this appeal on 19 May 2005 and rendered its judgement on 19 September 2005. It affirmed Kamuhanda's convictions for genocide and extermination as crimes against humanity, vacated convictions for instigating and aiding and abetting genocide and extermination and affirmed the two concurrent sentences of imprisonment for the remainder of his life imposed by the Trial Chamber.

The Prosecutor v. André Ntagerura, Emmanuel Bagambiki and Samuel Imanishimwe

30. The Appeals Chamber heard submissions on the merits of the prosecution's appeal and the appeal of Samuel Imanishimwe on 6 and 7 February 2006 in Arusha. On 8 February 2006, the Appeals Chamber rejected the prosecution's appeal against the acquittals of André Ntagerura and Emmanuel Bagambiki, with written reasons to follow. Judgement was rendered on 7 July 2006.

The Prosecutor v. Sylvestre Gacumbitsi

31. Pre-appeal procedures were completed during the reporting period, which included the consideration and dismissal of two motions for the admission of additional evidence pursuant to rule 115. The Appeals Chamber heard submissions on the merits of the appeals of both parties on 8 and 9 February 2006 in Arusha. Judgement was rendered on 7 July 2006.

Emmanuel Ndindabahizi v. The Prosecutor

32. Pre-appeal procedures continued during the reporting period with the Appeals Chamber considering several motions, including a motion to admit additional evidence pursuant to rule 115. The Pre-Appeal Judge held two status conferences during the period under review to ensure the fairness of the proceedings and the expeditious preparation of the appeal hearing. The briefing was completed during the period under review, and the Appeals Chamber heard the merits of the appeal in Arusha on 6 July 2006.

The Prosecutor v. Ferdinand Nahimana, Jean-Bosco Barayagwiza and Hassan Ngeze

33. Pre-appeal procedures continued during the reporting period, with 45 pre-appeal decisions or orders being issued by the Appeals Chamber and the Pre-Appeal Judge. The Pre-Appeal Judge held a status conference to ensure the expeditiousness and fairness of the appeal proceedings. The briefing was completed during the period under review, and the Appeals Chamber is preparing to hear the merits of the appeal during the next reporting period.

Mikaeli Muhimana v. The Prosecutor

34. Upon receiving the French translation of the trial judgement, on 26 January 2006, Mikaeli Muhimana filed his appeal of the Trial Chamber's decision of 28 April 2005. Pre-appeal procedures commenced during the reporting period and the briefing is expected to be completed soon.

Aloys Simba v. The Prosecutor

35. Following an extension of the deadline for filing, Simba's appeal was lodged on 22 June 2006. The prosecution filed its appeal of the judgement on 12 January 2006.

(b) Interlocutory appeals: most significant decisions

The Prosecutor v. Théoneste Bagosora, Gratien Kabiligi, Aloys Ntabakuze and Anatole Nsengiyumva, "Decision on Interlocutory Appeals of Decision on Witness Protection Orders", 6 October 2005

36. The Appeals Chamber upheld a Trial Chamber decision permitting the prosecution to make certain inquiries regarding protected witnesses to national immigration authorities and partially granted the prosecution appeal concerning the permission required in order to disseminate protected witness information to any person working for the Office of the Prosecutor.

Édouard Karemera, Mathieu Ngirumpatse and Joseph Nzirorera v. The Prosecutor, "Decision on Jurisdictional Appeals: Joint Criminal Enterprise", 12 April 2006

37. The Appeals Chamber upheld the Tribunal's jurisdiction to impose a third-category joint criminal enterprise liability on an accused for crimes committed by fellow participants in a joint criminal enterprise of a vast scope. The question of whether third-category joint criminal enterprise liability can be imposed for complicity in genocide, which had been raised in an earlier defence motion, was remitted back to the Trial Chamber for decision.

The Prosecutor v. Édouard Karemera, Mathieu Ngirumpatse and Joseph Nzirorera, "Decision on Joseph Nzirorera's Interlocutory Appeal", 28 April 2006

38. The Appeals Chamber dismissed this appeal, finding that the Trial Chamber had not abused its discretion in continuing the proceedings and in relying on the prosecution representations that the material sought was either not in its possession or not exculpatory.

The Prosecutor v. Édouard Karemera, Mathieu Ngirumpatse and Joseph Nzirorera, "Decision on Prosecutor's Interlocutory Appeal of Decision on Judicial Notice", 16 June 2006

39. The Trial Chamber was found to have erred in failing to take judicial notice of the existence of widespread and systematic attacks in Rwanda against a civilian population based on Tutsi ethnic identification, the fact that some Rwandan citizens killed or caused serious bodily or mental harm to persons perceived to be Tutsi, and that as a result of those attacks, large numbers of Tutsi were killed. The Appeals Chamber also considered that the Trial Chamber had erred by not taking judicial notice of the fact that an armed conflict of a non-international character had existed in Rwanda at the relevant time and that genocide was committed against the Tutsi ethnic group.

The Prosecutor v. Édouard Karemera, Mathieu Ngirumpatse and Joseph Nzirorera, "Decision on Interlocutory Appeal Regarding the Role of the Prosecutor's Electronic Disclosure Suite in Discharging Disclosure Obligations", 30 June 2006

40. The Appeals Chamber found that the electronic database created by the Prosecutor for storage and retrieval of documents, allowing the defence to perform its own searches for exculpatory material, does not relieve the prosecution of its positive obligation to disclose all exculpatory material in its possession.

The Prosecutor v. Athanase Seromba, "Decision on Interlocutory Appeal of a Bureau Decision", 22 May 2006

41. The Appeals Chamber found that the Tribunal's statute and rules do not provide for an interlocutory appeal to the Appeals Chamber of a decision taken by the Bureau on questions of impartiality of judges.

(c) Motions for review

Eliézer Niyitegeka v. The Prosecutor

42. The Appeals Chamber dismissed this request for review, finding that none of the submitted material amounted to new facts within the meaning of the statute and rules of the tribunal. It further noted that even if this material had amounted to new facts, it still lacked the necessary determinative impact on the original decision.

Georges Rutaganda v. The Prosecutor

43. On 13 April 2006, Rutaganda sought reconsideration and review of the appeal judgement in his case. He alleges several errors in the assessment of the evidence against him and other perceived procedural irregularities, and refers to several alleged new facts which he contends undermine his conviction or mitigate his sentence. The briefing in this case was completed shortly before the end of the period under review.

(d) Appeal concerning referral

The Prosecutor v. Michel Bagaragaza

44. On 1 June 2006, the Prosecutor appealed a decision denying referral of the case against Michel Bagaragaza to Norway under rule 11 bis. The Prosecution's appeal brief was filed on 23 June 2006 and the appeal will be disposed of shortly after the period under review.

C. Office of the Prosecutor

45. In the period under review, prosecution trial teams were engaged in the conduct of 14 trials before the Trial Chambers involving 30 accused. Six appeals are currently pending before the Appeals Chamber, and there is a likelihood that further appeals will be launched later in the year.

46. The Prosecutor has continued to implement his completion strategy throughout the reporting period, in consultation with the President. Efforts to identify States which may be willing to try Tribunal indictees referred to them were ongoing during

the period under review. The first transfer request, brought by the Prosecutor under rule 11 bis, was denied by the Trial Chamber. The Prosecutor has appealed this decision.

47. Other measures taken during the reporting period include improvements of the prosecution's information and evidence management capacity and implementation of prosecutorial best practices. Towards this end, staff training and continuing education remain a priority in the pursuit of the completion strategy. In March 2006, the Prosecutor convened a weekend strategic planning workshop, in order to assess how effectively the Office of the Prosecutor has implemented the completion strategy to date, identify areas for improvement in performance and align his staff with the goals to be achieved.

D. Registry

48. The Registry continued to support the judicial process by servicing the other organs of the Tribunal and the defence and by seeking support from States, international organizations and other stakeholders in the conduct of proceedings.

Office of the Registrar

49. The immediate Office of the Registrar has maintained high-level diplomatic contacts and drafted numerous agreements with States or international organizations to ensure the continued cooperation of Member States and international organizations with the Tribunal.

50. In conjunction with the Office of the Deputy Registrar, diplomatic efforts to relocate two acquitted persons who currently remain under the Tribunal's protection have also been renewed and augmented. In the meantime, a specific budgetary appropriation was obtained in the 2006-2007 biennium for expenses related to their accommodation and protection.

51. The Tribunal outreach programme was stepped up, while voluntary contributions were sought in support. Programme activities included judicial visits to the Tribunal and capacity-building training for members of the Rwandan judiciary and universities, as described in the most recent completion strategy submitted by the Tribunal on 29 May 2006.

Conference and Protocol Services Unit

52. There was an increase of approximately 210 per cent in the number of persons visiting the Tribunal in the first half of 2006 as compared with 2005. In March 2006, the President of the United Republic of Tanzania, Jakaya Kikwete, met with the President, Prosecutor and Registrar of the Tribunal, and the President of Ireland, Mary McAleese, visited the Tribunal in June 2006. In addition, the Tribunal hosted numerous other guests, including Government ministers, civil society representatives, human rights practitioners and students, during the period under review.

Press and Public Affairs Unit

53. The Press and Public Affairs Unit increased its monitoring and internal circulation of Tribunal-related media reports and continued to improve the Tribunal website during the period under review. An increased number of press briefings and releases were issued during the period under review, and Tribunal informational brochures and posters were updated and reprinted. Numerous judicial proceedings were broadcast worldwide via a non-coded satellite signal for use by media professionals and the public.

54. The Tribunal outreach programme has been strengthened. The Information Centre in Kigali, which was inaugurated in September 2000, has served as the focal point of the programme. Press conferences, briefings and films on the Tribunal are frequently held at the Centre. On average, 80 persons a day have visited the Centre in order to use its legal library, Internet facilities and the database of printed and audio-visual Tribunal material. Screenings of audio-visual documentaries on the Tribunal are held in various communes in Rwanda and in schools and prisons five days a month.

55. One of the cornerstones of the Tribunal's outreach programme is the training of Rwandan jurists, advocates and human rights practitioners. Such capacity-building includes seminars and workshops aimed at strengthening knowledge in areas such as international humanitarian law and criminal law, and familiarity with the Tribunal's jurisprudence. Within the Tribunal, the ongoing internship and legal researchers programmes continue to provide a number of promising young lawyers with experience in the core legal functions of the Tribunal.

Judicial and Legal Services Division

56. During the period under review, the Court Management Section has continued to facilitate the simultaneous functioning of the Chambers and to provide support to all sections of the three Trial Chambers.

57. The Judicial Records and Archives Unit has enhanced the availability of electronic documents to the Judges, the parties and, where appropriate, the public. The TRIM database has been improved to enhance client orientation and access to administrative records and to ensure accessibility after completion of the Tribunal mandate. The transition of audio-visual recordings to digital format for preservation has been accelerated. To date, nearly half of the materials deemed most at risk have been digitized. Efforts have been made to enhance the accessibility of digitized audio-visual material to the public in a redacted form.

58. Turnaround time for the production of transcripts was significantly improved. Real-time court reporting, a pilot project initiated in April 2005 for the provision of instantaneous transcripts to the judges and parties, was extended to seven ongoing trials during the period under review.

Defence Counsel and Detention Management Section

59. A total of 96 counsels were assigned to represent indigent accused persons or suspects during the period under review. Control mechanisms in assessing requests for payment of fees and reimbursement of travel and other costs and expenses were also enhanced, as were investigation processes regarding the financial assets of accused persons.

60. Fifty-nine persons are currently detained at the United Nations Detention Facility at Arusha, including 40 detainees and 19 convicted persons, 8 of whom are awaiting the outcome of appeals proceedings. One detainee was arrested in Kenya on 16 August 2005 and transferred to the detention facilities of the International Tribunal for the Former Yugoslavia in The Hague for security reasons. The detention facility also temporarily housed 25 detained witnesses from Rwanda and 2 from Mali for the duration of their testimony before the Tribunal. The International Committee of the Red Cross visited the detention facility on two occasions during the reporting period and noted that it conforms to international prison standards.

Witnesses and Victims Support Section

61. During the period under review, the Witnesses and Victims Support Section brought a total of 393 witnesses (138 for the prosecution and 255 for the defence) from 33 countries in support of 11 trials and 1 appeal. Three vulnerable prosecution witnesses were relocated. Improved post-trial monitoring and protective measures have been implemented within the countries of residence of witnesses. Increasing numbers of witnesses residing in Rwanda receive medical and psychological follow-up, and in-house training for staff of the Section has also been stepped up.

Language Services Section

62. During the period under review, staffing levels in the Language Services Section have improved with the recruitment of four specially trained Kinyarwanda interpreters and French-language revisers. This has enhanced the Section's capacity to provide interpretation and translation services to the Chambers, the parties, the Registry and the public.

Legal Library and Reference Section

63. During the period under review, 40 members of the Rwandan judiciary, including librarians and information managers, were provided with training on online legal research and information management software as part of the Tribunal outreach and capacity-building programme in Rwanda. A third edition of the *ICTR Basic Documents and Case Law 2003-2004* was published, which includes Tribunal decisions and judgments. An enhanced electronic security system was installed.

Division of Administrative Support Services

64. During the period under review, 215 interns and 20 legal researchers from 48 countries gained experience at the Tribunal.

65. The vacancy rate was 12 per cent during the period under review. Staff members come from 88 countries. The staff gender ratio was 63 per cent male and 37 per cent female. The Training Unit has increased the number of staff development courses on offer in order to improve staff retention.

66. The Tribunal clinics in both Arusha and Kigali received more visits in comparison with the previous reporting period from staff members, witnesses and persons in the custody of the Tribunal.

II. Recommendations

67. The Tribunal recommends that:

(a) It continue to receive sufficient resources to enable it to complete its work within the time frames stipulated in Security Council resolutions 1503 (2003) and 1534 (2004);

(b) Member States continue to facilitate the travel of witnesses to and from the seat of the Tribunal, particularly in cases where witnesses do not have the required travel documents;

(c) Member States remain receptive to discussions relating to the possible transfer of cases to their respective jurisdictions for trial;

(d) Member States assist and cooperate in the arrest and transfer of accused and suspects who remain at large;

(e) Member States assist the Tribunal to resettle individuals who may be acquitted by the Tribunal and who require a State willing to grant them permanent residence.

III. Conclusion

The Tribunal is committed to bringing to justice those persons who were the alleged architects of the genocide and violations of international humanitarian law committed in Rwanda in 1994. In this process, it will bring justice to victims of the massive crimes that were committed and establish a record of facts that can aid reconciliation in Rwanda. The Tribunal will also leave a legacy of international jurisprudence that can guide future courts and deter the future commission of those grave crimes.

The Tribunal acknowledges the support and assistance received from the Secretary-General of the United Nations, Kofi Annan, and expresses its appreciation to Member States for their continuing interest in and support of its activities.